(2)

Supreme Court, U.S.
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SUPREME COURT OF THE UNITED STATES

Richard Fuselier, Richard Ortt & Compensation Consultants, Inc.
Petitioners,

vs.

United States,
Respondent,

APPENDIX

In Reference to: Richard Fuselier

On An Application For A Writ of Habeas Corpus Ad Subjiciendum To The Common Law Court of the United States of America and the United States Court of Appeals For the Fifth Circuit

Richard Fuselier
Pro Se
204 E. Angus
Youngsville, La. USA 70592
337 857-9090

APPENDIX

(i)

The order appealed to the Fifth Circuit was issued by the United States District Court for the Western District of Louisiana in Docket # 04-cv-2432 entitled United States of America v. Richard A. Fuselier and Richard J. Ortt, each and individually and d/b/a Compensation Consultants entered on February 25, 2005. The finding of facts provided on Page 2:

> "1. This Court has jurisdiction over the parties and subject matter of this case:"

(ii)

The evidence to be reviewed of the Common Law Court of the United States of America was filed with the United States Court of Appeals for the Fifth Circuit in Docket # 05-30346 and was mailed on August 19, 2005. Said review is the finding of fact provided on Page 1 which provides in part:

> "The Common Law Court of the United States of America has jurisdiction over the party filing a Writ of Habeas Corpus Ad Subjiencidum."

(iii)

Said Fifth Circuit denial was in a letter dated September 28, 2005 which provides in part:

> "Upon review it has been determined that the attachment is considered a supplemental brief. Therefore, no action is being taken..."

(iv)

AUTHORITIES

Article 1, Section 9, Clause 2

> "The Privilege of Habeas Corpus shall not be suspended..."

Article 1, Section 10, Clause 1

> "No State shall...make any Thing but gold and silver Coin a Tender in Payments of Debts;"

Article 4, Section 1.

> "Full Faith and Credit shall be given in each State to the...judicial proceedings of every other State."

Amendment IX.

> "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained

by the people."

Amendment X.

"The powers not delegated to the United States by the Constitution... are reserved ...to the people."

Title 26 U.S.C. § 6511(d)(2)(B)(iii).

"In the case of any such claim for credit or refund...the determination by any court,...in any proceeding, shall be conclusive..."

Title 26 U.S.C. § 643(b)

"...the term 'income'...means the amount of income of the estate... for the taxable year determined under...applicable local law."

Title 26 U.S.C. § 7422(a)

" No...proceeding shall be maintained...until a claim for refund or credit has been duly filed with the Secretary..."

Title 26 U.S.C. § 7422(e)

"...a suit brought by a taxpayer in...the United States Court of Federal Claims..."

Title 26 C.F.R. § 601.502(a)(1)

> (1) Attorney. Any individual who is a member in good standing of the bar of the highest court of any...commonwealth..."

Title 28 U.S.C. § 1253

> "Except otherwise provided by law, any party may appeal to the Supreme Court...in any civil action, suit or proceeding required by any Act of Congress to be heard and determined by a district court of three judges."

Title 28 U.S.C. § 1294(1)

> "...appeals from reviewable decisions of the district and territorial courts shall be taken to the courts of appeals as follows
> (1) From a district court of the United States to the court of appeals for the circuit embracing the district;"

Title 28 U.S.C. § 1492

> "Any bill...may be referred by either House of Congress to the chief judge of the United States Court of Federal Claims..."

Title 28 U.S.C. § 1500

"The United States Court of Federal Claims shall not have jurisdiction of any claim for or in respect to which the plaintiff...has pending in any other court..."

Title 28 U.S.C. §1652

"The laws of the several states... shall be regarded as rules of decision in civil actions in the courts of the United States..."

Title 28 U.S.C. § 2248

"The allegations of a return to the writ of habeas corpus...if not traversed shall be accepted as true..."

Title 28 U.S.C. § 2502(a)

"Citizens...of any foreign government ...may sue the United States in the United States Court of Federal Claims..."

Title 48 U.S.C. § 1493(c)

"The prosecution in a...Commonwealth... to seek review or other suitable relief...in the Supreme Court of the

United States from -
"An adverse decision of an appellate court."

Federal Rule of Appellate Procedure 21(b)(1)
"The court may deny the petition without an answer."

(v)
United States of America

Executed on this 8th day of March, 2006. I declare under penalty of perjury that the foregoing is true and correct.

By

Richard Fuselier, Pro Se
204 E. Angus
Youngsville, La. USA 70592
Telephone 337 857-9090
Fax 337 857-9096